UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/48/603
17 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 9

GENERAL DEBATE

Letter dated 15 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Upon the instructions of my Government, I have the honour to convey the following reply of the Federal Republic of Yugoslavia to the statement made by the Minister of Foreign Affairs of the Republic of Albania, Mr. Alfred Serreqi, in the general debate at the forty-eighth regular session of the General Assembly, on 27 September 1993.

The statement of Minister Serreqi contains many untrue allegations and accusations against the Federal Republic of Yugoslavia, particularly Serbia and the Serbian people, which constitute a part of the continued anti-Yugoslav campaign of the Government of Albania. For the sake of truth, the Government of the Federal Republic of Yugoslavia wishes, therefore, to present the following facts relating to the allegations contained in the statement of the Albanian Foreign Minister.

We have to note that the Government of the Republic of Albania, despite the fact that it solemnly and fully assumed all the commitments and responsibilities contained in the documents of the United Nations and the Conference on Security and Cooperation in Europe (CSCE) and undertook to act in compliance with them (as declared in its letter of 18 June 1991 on its accession to the CSCE and full acceptance of the CSCE Final Act and the Charter of Paris), continues to act in contravention of the provisions of those documents, as evinced by the statement of Foreign Minister Serreqi.

In his statement, the Albanian Foreign Minister expressed his Government's commitment to the restoration of democracy in the Balkans and its inclusion into European integration processes, but he overlooked that, by calling for the change of borders and by inciting secession, by neglecting the minority rights in his country and by directly defying the international community, which considers Kosovo and Metohija an integral part of Serbia and the Federal Republic of Yugoslavia, he, in fact, was supporting destabilization and

separatism in the Balkans. We cannot disregard the fact that, today, Albania is the only country in Europe that openly incites and encourages the Albanian national minority in neighbouring countries to secession.

Allegation 1

> "We think that the breakup of the former Yugoslavia - which was also the cause of what is now called the Yugoslav crisis - puts the issue of succession in the former Yugoslav federation in an entirely new light: it brings up the question of considering the peoples' right of self-determination, and the expression of their free will as to their political status. If this means war, as some people think, then it is up to the United Nations and the Security Council to intervene and guarantee respect for the principles of the Charter."

This part of Minister Serreqi's statement deserves a special comment. Albania's attempts to use the Yugoslav crisis, caused, as is known, by the forcible secession of some former Yugoslav republics, for an overt or covert legitimization of the secession of Kosovo and Metohija are very evident indeed. In this context, it should be openly said that what this amounts to is the intention to use the Yugoslav crisis as a point of departure and a pretext for re-drawing the borders of the Balkan States, thereby calling into question not only the territorial integrity of the Federal Republic of Yugoslavia, but also that of other neighbouring States.

Similarly, it should also be noted that owing to the "breakup of the former Yugoslavia", "the issue of succession in the former Yugoslav federation" is not at all put in an entirely new light nor can it be linked to the status of the Albanian national minority. The Albanian national minority in Yugoslavia has never had the status of a constituent people nor, consequently, the right to self-determination. It has always had the status of a national minority in Serbia, which, after the secession of other republics, remained in the Federal Republic of Yugoslavia together with Montenegro. Therefore, the "breakup" of the former Yugoslavia has not threatened the individual or collective rights of the Albanian citizens deriving from their status as a national minority.

The Albanian Foreign Minister speaks of war and calls for Security Council intervention. In this connection, it is very much in order to ask what War Minister Serreqi has in mind, who would provoke it, in whose interest it would be waged and for what purpose it would be fought. It is logical to assume that it could break out only if Albanian separatists in Kosovo and Metohija, supported by Albania, decided to secede forcibly, so that it is very pertinent to ask whether the Albanian Foreign Minister had such circumstances in mind. In this context, it is equally pertinent to ask what purpose is served by calls for stationing foreign troops and observers in Kosovo and Metohija and for placing this province under United Nations protectorate, that is, for deploying "peace-keeping forces". It is our impression that the Government of the Republic of Albania would like to abuse their presence to achieve the said goals.

The right to self-determination, as is known, cannot be recognized to a national minority, which is exactly what Albanians are in Yugoslavia. Albania's invocation of the Charter of the United Nations and the CSCE principles in this

connection constitutes a gross violation of the norms of international law, since they do not provide for the right of national minorities to self-determination. Behind this demand is open support to secession and an (unsuccessful) attempt to legalize it.

Allegation 2

> "If, in assessing this factor [i.e. the Albanian factor ... especially the Kosovo issue], there is insistence on the rigid position that Kosovo is an integral part of Serbia, that it is annexed to Serbia and that the Albanian people in the former Yugoslavia are a minority, then nothing will be achieved, but the idea of creating a "Greater Serbia" will be reconfirmed and legitimized at the expense of other peoples."

It is a historic fact that the Province of Kosovo and Metohija is the cradle of the Serbian medieval State and culture and the Serbian Orthodox Church. It is also a historic fact that the province has never belonged to the Albanian State and that it has always been an integral part of the territory of the Serbian State, except in the period when it was under foreign occupation, first by the Turks and then in this century by Fascists (1941-1945). Therefore, the allegation that Kosovo was "annexed" is absurd, just as Albania's persistence in refusing to call the province by its official (constitutional) name of Kosovo and Metohija is also absurd.

The statement of Minister Serreqi provides clear evidence that the Government of the Republic of Albania does not respect the territorial integrity of the Federal Republic of Yugoslavia and the Republic of Serbia, an integral part of which is Kosovo and Metohija. Contrary to all international norms, the Government of Albania was the only Government in the world to recognize, in 1991 and 1992, the illegal "Republic of Kosovo". Albania defies the well known position of the international community that Kosovo and Metohija is an inseparable part of Serbia and Yugoslavia.

Albanians in Yugoslavia are, as already mentioned, a national minority under the provisions of all past Yugoslavian constitutions and relevant international instruments. Albanians in Kosovo and Metohija account for 82.2 per cent of the population of the province and 17.2 per cent of the population of the Republic of Serbia. Until not so long ago, the Serb population in the province constituted the majority, but after the Second World War this ratio was changed to its detriment as a result of the ethnic cleansing by Albanian separatists.

National minorities in Yugoslavia and Serbia, including Albanians, have a broad autonomy guaranteed by the constitution, as well as all national, political, economic, social and cultural rights, like other Yugoslav citizens.

Allegation 3

> "We are profoundly concerned about the issue of Kosovo and the grave situation created there since the elimination of its autonomy in 1989 and its complete annexation and subjection to Serbian military and police authority, and we call for proper attention to the fact that a peaceful

settlement of the Yugoslav crisis should cover the entire space of the former Yugoslavia and all its aspects and problems."

It is not true that the autonomy of Kosovo and Metohija was eliminated by the 1989 constitutional changes. The new constitution of the Republic of Serbia was adopted in 1990, with the approval of all relevant political factors in Serbia and Yugoslavia, including the provincial assembly of Kosovo and Metohija, where representatives of the Albanian minority constituted the majority. The autonomy of the provinces of Kosovo and Metohija and Vojvodina was also confirmed by the new constitution, so that their status as autonomous provinces was not threatened at all. Only parastatal attributes given to the province by the previous constitution were taken from the present status of Kosovo and Metohija, but even under the provisions of that constitution it was an integral part of the Republic of Serbia.

The real problem in Kosovo and Metohija lies in the fact that the Albanian national minority, under the pressure of the separatist leadership, refuses to use its constitutional rights (non-participation in parliamentary multi-party elections, refusal to participate in the last census, boycott of the education system, health and so on).

In view of the fact that Kosovo and Metohija is an integral part of the Republic of Serbia and the Federal Republic of Yugoslavia, it is quite understandable that military and police authorities are present in the province, just as is the case in any other State. It is absurd and senseless to talk about an occupation of Kosovo and Metohija, since no country can occupy a part of its own territory. The part of the army of Yugoslavia stationed in Kosovo and Metohija has the same task it has in other parts of the Federal Republic of Yugoslavia.

The situation in Kosovo and Metohija is not good, since Albanian separatists resort ever more frequently to terrorist acts. In the first nine months of this year, there were 52 attacks against police officers. In the action of seizing arms from members of the Albanian national minority, which they called "police repression", a large number of illegal weapons was impounded (100 automatic and semi-automatic rifles, over 800 rifles, 1,450 pistols and revolvers, 156 bombs and so on).

Allegation 4

"Albania has long made it clear that placing Kosovo under the control and protection of the United Nations is the only guaranteed way of preventing conflict and discouraging silent 'ethnic cleansing' that Serbia is practising there."

The role and activities of the United Nations with respect to its Member States are clearly defined in its Charter and cannot be carried out in a manner desired and suggested by Albania for Kosovo and Metohija. The role of the United Nations should be manifested in the clear division between the problems of human rights and the illegal requests of the Albanian national minority for the secession of Kosovo and Metohija from Serbia and the Federal Republic of Yugoslavia. The best contribution of the international community to the improvement of the situation in Kosovo and Metohija would be to use its

influence in a most vigorous way to persuade the representatives of the Albanian national minority to abandon their goals as illegitimate under international law. Instead of calling for the protection of the United Nations, the international community should call upon the Albanian national minority to take part in the political life of the Federal Republic of Yugoslavia and thus to exercise their rights.

Each and every involvement of the United Nations and the international community in Kosovo and Metohija should be based on the fact that the Autonomous Province of Kosovo and Metohija is an integral and inseparable part of the Republic of Serbia and the Federal Republic of Yugoslavia and that disregard for this fact is a gross violation of the principle of the Charter of the United Nations concerning respect for the territorial integrity and non-interference in internal affairs of sovereign States.

Allegation 5

> "The protection and observance of human rights, [constitute] one of the fundamental issues of the new world democratic order today ... [The Albanian] Government considers support for democracy and human rights to be the guide of its political orientation ... We consider respect for minority rights to be an important and indivisible aspect of human rights."

The Yugoslav Government would appreciate it if Albania complied with this principled policy it has opted for. However, the Yugoslav Government must stress the highly unsatisfactory position of Yugoslav (and other) minorities in Albania. First, Albania denies the existence of dozens of thousands of members of the Serb and Montenegrin minorities. Secondly, members of the Yugoslav minorities have no right to use their mother tongue, they have no schools, textbooks, newspapers or cultural institutions in their language. Third, the Orthodox Church and the use of Slav names have been banned for years, so that denationalization has also been practised in this way. As of late, the situation has improved since the use of Slav personal names has been allowed as well as the establishment of Yugoslav minority associations and a free flow of people on both sides of the border. However, this is all far from the broad rights given to the Albanian national minority in Yugoslavia and international standards relating to minority rights.

Because of its policy towards minorities, Albania, as is known, also has problems with other States, which is evidenced by the appeals of the European Parliament addressed to Albania and the proposal of former Greek Prime Minister Mitzotakis to the effect that Albania provide the same rights to national minorities in Albania it demands for "its" minority in Yugoslavia.

Allegation 6

> "The imposition of sanctions, despite the effect on the Serbian economy ... failed to paralyse and seriously damage the Serbian war machine. ... But we understand that the United Nations sanctions ... will continue to be applied ... until a final solution of the whole Yugoslav crisis is found, including an overall improvement of the situation in Kosovo."

The Yugoslav Government is surprised at the fact that, rather than calling for easing the sanctions, which affect both the citizens of the Federal Republic of Yugoslavia and Albania itself, the Republic of Albania is demanding the tightening of sanctions against Serbia, which implies further exacerbation of the economic and social position of the Albanian national minority in the Federal Republic of Yugoslavia as well.

It is known that the sanctions against the Federal Republic of Yugoslavia were imposed by Security Council resolution 757 (1992) because of the war in Bosnia and Herzegovina and the alleged responsibility of Yugoslavia for it and resolution 820 (1993) because of the rejection of the Vance-Owen plan, which Yugoslavia accepted and which subsequently was rejected by the international community as outdated.

The international community has recognized that a civil war is being fought in Bosnia and Herzegovina and that the Federal Republic of Yugoslavia has done and is doing everything to achieve peace in Bosnia and Herzegovina, which is best evidenced by the fact that the Bosnian Serbs have accepted the Geneva peace plan. The sanctions do not pertain to other elements of the Yugoslav crisis, including Kosovo and Metohija, so that the Government of the Federal Republic of Yugoslavia considers that all conditions have been created for their lifting.

Allegation 7

> "As to the national question of the Albanians, we see its solution in the creation in the former Yugoslavia and all over the Balkans of a broad democratic space that would allow freedom of communication and freedom of movement among the more than 7 million Albanians who live, in territorial continuity, in that space. We are against territorial fragmentation and division, and the hermetic sealing of a single people within the borders of neighbouring countries."

This allegation reveals the main goal of the Albanian nationalist policy: creation of conditions for the annexation to Albania of the territories belonging to other States - the Federal Republic of Yugoslavia, Greece and the former Yugoslav Republic of Macedonia. Albanian leaders, therefore, often claim at international gatherings that they speak on behalf of "all 7 million Albanians".

Albania also tries to minimize the existence of the international border with Yugoslavia, encourages border incidents and pursues the policy of intensifying border tension, thus destabilizing the situation in Kosovo and Metohija and the Balkan region. This year, 49 incidents took place on the Yugoslav-Albanian border and the Albanian side is responsible for 45 of them. Because of its policy vis-à-vis state borders, Albania has serious problems and disputes with other neighbouring States as well.

The positions presented by the Albanian Foreign Minister constitute flagrant interference in the internal affairs of the Federal Republic of Yugoslavia and a denial of its territorial integrity and sovereignty, and incites the secession of Kosovo and Metohija from Yugoslavia and the Republic of Serbia. Such conduct is in contravention of the Charter of the United Nations,

the CSCE Helsinki Final Act and the Charter of Paris, which the Government of Albania professes to observe, but does so only in word, not in deed.

Such positions are far from contributing to the normalization of relations between the Federal Republic of Yugoslavia and the Republic of Albania. For its part, the Federal Republic of Yugoslavia wishes to maintain good relations with all its neighbours, including Albania, but will oppose, most vigorously, any interference in its internal affairs, particularly through attempts to threaten its territorial integrity.

I should be grateful if you would have the present letter circulated as a document of the General Assembly under agenda item 9.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.